

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

IN RE: BLACKBAUD, INC.,
CUSTOMER DATA BREACH
LITIGATION

Case No.: 3:20-mn-02972-JMC

MDL No. 2972

**CASE MANAGEMENT ORDER NO. 13
(SUMMARY OF CASE MANAGEMENT
CONFERENCE NO. 7)**

THIS DOCUMENT RELATES TO: ALL ACTIONS

On October 19, 2021, the court held a case management conference, and addressed the following issues:

1. TAG-ALONG ACTIONS

No tag-along actions have been added since Case Management Conference No. 6 on September 2, 2021. There are presently twenty-nine (29) pending cases including those involving non-Blackbaud defendants.

2. DISCOVERY

The parties are resolving issues related to causation and initial discovery requests with Special Master Grossman and reported that they have exchanged sufficient discovery to make mediation productive.

The parties are discussing how to move forward on Plaintiffs' request to inspect Blackbaud's databases. Blackbaud contends it will need time to reactivate its databases and determine an appropriate method of inspection. The parties indicated they may ultimately request an order from the court regarding the scope, timing, and method of the inspection.

Blackbaud desires that the parties disclose expert witnesses and exchange expert discovery prior to class certification briefing. Plaintiffs indicated a preference for conducting expert discovery and class certification briefing simultaneously in the interest of time management.

3. SCHEDULING

The parties reported that mediation has been postponed from October 6, 2021 to November 16, 2021 by agreement. However, the parties did conduct separate meetings with the mediator to prepare for a more substantive mediation. Plaintiffs have agreed to submit a written statement of their position and tender their demand on November 1, 2021. Blackbaud has agreed to submit its response and tender its counter-demand one week later.

Blackbaud agreed to file its answer to the Consolidated Class Action Complaint (ECF No. 77) within thirty (30) day of entry of the court's order on Blackbaud's Motion to Dismiss Common Law Claims (ECF No. 124).

The court will hold Case Management Conference No. 8 virtually on December 8, 2021.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 20, 2021
Columbia, South Carolina